

periods for these three provisions. However, I think it would be even better for the conferees to go further.

In particular, I think the conference report should include provisions along the lines of the bipartisan reform measure, known as the Security and Freedom Ensured (SAFE) Act of 2005 (H.R. 1526), of which I am a cosponsor. That bill would amend the PATRIOT Act to modify provisions regarding roving wiretaps under the Foreign Intelligence Surveillance Act of 1978 (FISA) to require that:

(1) an order approving an electronic surveillance specify either the identity of the target, or the place to be wiretapped; and

(2) surveillance be conducted only when the suspect is present at the place to be wiretapped.

It also would revise the PATRIOT Act's provisions governing search warrants to—

(1) Limit the authority to delay notice of the issuance of such a search warrant to circumstances where providing immediate notice of the warrant will endanger the life or physical safety of an individual, result in flight from prosecution or the intimidation of a potential witness, or result in the destruction of or tampering with the evidence sought under the warrant; and

(2) Require such delayed notification to be issued within seven days (instead of a "reasonable period"), with extensions by the court for additional periods of up to 21 calendar days each time that the court finds reasonable cause to believe that notice of the execution of the warrant would have such consequences. It also would require the Attorney General, on a semiannual basis, to transmit to Congress and make public a report concerning all requests for delays of notice and for extensions of such delays.

The SAFE bill also would amend FISA to require, with respect to access by the Federal Bureau of Investigation to business records for foreign intelligence and international terrorism investigations, that there be specific and articulable facts giving reason to believe that the person to whom the records pertain is a foreign power or agent.

It would specify that libraries will not be treated as wire or electronic communication service providers under provisions granting counterintelligence access to provider subscriber information, toll billing records information, or electronic communication transactional records.

And it would redefine "domestic terrorism" to mean only activities that involve acts dangerous to human life and that constitute a Federal crime of terrorism.

The broad support for such changes in the Patriot Act is shown by the fact that the SAFE bill is cosponsored by many Members from both sides of the aisle. It is also shown by the fact that over the last four years more than 300 communities and seven States, including Colorado—governments representing over 62 million people—have passed resolutions opposing parts of the PATRIOT Act.

Much of that public concern—a concern I share—has focused on the possible effects on the privacy of patrons and customers from the application of section 215 of the "PATRIOT Act" to libraries and bookstores. I think the conference report should include restrictions on the application of section 215 similar to those that would have been imposed by the Sanders amendment to the Justice Depart-

ment's fiscal year 2006 appropriations bill—an amendment that the House approved earlier this year by a vote of 238 to 187.

Mr. Speaker, when the House debated this bill earlier this year, I said that my reaction to it was similar to the one I had to the original "PATRIOT Act" legislation 4 years ago. As I did then, I strongly support combating terrorism, here at home as well as abroad. But I continue to think that it is essential that we remember and respect the constitutional rights of law-abiding Americans as we wage war against those who would destroy both our Constitution and our country. In fact, I think that if we don't do that we will lose much of what we are seeking to defend.

I voted against the bill as it came to the House floor because I concluded that it did not strike the right balance, and should not become law in its present form. But I am hopeful that the bill will be further improved and the conferees will produce a revised version that deserves the support of all Members of Congress.

#### COMMENTS FROM A USMC VETERAN

**HON. MARK E. SOUDER**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 10, 2005*

Mr. SOUDER. Mr. Speaker, I would like to submit comments of USMC veteran, Barry Yeakle, about the Vietnam war, delivered at the Whitley County Veterans Observance in Columbia City, Indiana, on November 6, 2005, for the RECORD.

Try and picture this: I am a green 19-year-old, just off the boat from Indiana. I'm 9,000 miles away in Viet Nam. A delegation of Vietnamese peasants approaches me. Their appointed spokesman steps forward and very formally gives me to understand by an amazing mixture of Vietnamese, French, English and even Japanese (but mostly by waving his arms about wildly) that they have heard that the United States intends to send a man to the moon. They are incredulous. To make sure I understand which moon they mean, they keep tugging at my sleeve and pointing to it.

Looking back, what amazes me most is the matter-of-fact way I answered him: Sure, absolutely, we're going to do it. I had never doubted it. That story illustrates the times. We were idealistic and maybe a little naïve. We believed in our country and it wasn't hard to convince those peasants that they could believe in us as well. Is it any wonder that they believed we could protect them from communism?

When I was fourteen, this country elected its youngest-ever President. He was very charismatic and taking office, this is what he said: "Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, in order to assure the survival and success of liberty."

It was an amazing promise; looking back, perhaps a foolish or impossible one, but the cold war was a great reality in our lives and his message was heard in the Soviet and Chinese empires. It was also heard by my generation, many of whom were sons and daughters of the men who'd won World War II. We believed that what he said was possible. We believed it was our duty.

The story of this country's longest war can be told briefly. Nine years after the Japanese Army was ejected from Viet Nam at the end of WWII, the French lost a huge battle against the communists and Viet Nam became two countries with a communist government in the North and republican government in the South. There was a time period in which citizens could decide in which country they would live. Not surprisingly, an overwhelming majority emigrated to the South, while virtually no one emigrated to the North.

At once, the communist government under the sponsorship of the Soviet Union began a guerilla war. As the new democracy began to totter under the terrorism, President Kennedy decided to give it military aid against the fear that communism could spread throughout all of Indo China.

It was a near thing in the beginning and as American soldiers arrived to advise and train, the escalation of the guerilla war continued. By the summer of 1965, President Johnson sent the 3rd Marine Amphibious Force to keep the critical city of Da Nang from falling. We had been trained for grand amphibious assaults in the Pacific and great land battles in central Europe. Although we as Americans had a legacy from our own Revolution, we scarcely remembered how to fight a guerilla war and it was painful to learn it again.

Still, the Communist soldiers kept invading from the North, and always the men who died along side me seemed the least the United States could afford to lose. Besides being courageous, they always seemed to be the Eagle Scouts, the valedictorians and class presidents. Two thirds of them were volunteers, the very opposite of WW II.

An opposite type fled to Canada to evade the draft. Though non-combat service was offered them, others cleverly transferred from college to college to evade service. Each time, someone else had to serve in their place. Some tell me that these actions were consistent with their honour, but they don't look me in the eye when they say it. Interestingly, when the draft ended, all campus objection to the war seemed to end with it.

By the end of 1967, we had thousands of troops in Viet Nam and had brought the enemy to certain defeat. In a desperate gambit, they broke a truce they'd requested themselves and launched assaults all over South Viet Nam. In this the Tet Offensive, they suffered one of the most lopsided defeats in modern history; but an impatient television newsman named Walter Cronkite, who didn't understand the imprudence of the communist's desperation, reported it otherwise. He influenced many Americans. Those of us in the field were horrified that all the sacrifice we'd witnessed could be wasted if the country turned against the war.

A famous American actress went to the enemy capital. She wore their insignia. As the photographers clicked away, she pretended to sight-in an anti-aircraft gun, a gun that had but one purpose: to shoot down American warplanes. Little was made of her treason; she went on to become an even bigger star. This apathy of the American people was very hurtful to the returning servicemen. And it got worse. There is a decorated man in this room who was abused when he got off the airplane in California. His experience was not unique.

A new President, known to be tough on communism, Nixon, was elected and the war went into a sort of stalemate. An accord was reached with the communists that made it possible for the American troops to leave. Our faithful allies were promised that we would respond if the country were to have its sovereignty threatened. When that did indeed happen, still another President, Ford, did nothing. South Viet Nam, our ally, fell.

Though American arms had lost only one battle, the war itself was lost. Nearly all of us were home by that terrible day in 1975. Choked with emotion, I ran to my church for comfort and found it empty and locked. I realized I would have to keep my sorrow to myself for years to come and that is exactly what happened.

Over 58,000 American men and women—more people than live in Whitley County—died. Thousands more have died since from causes born in the war. Our friends from Australia, South Korea, Thailand and the Philippines lost over 6,000 more, and the Army of South Viet Nam's losses were nearly a quarter of a million. Future generations will ask to what avail, since Viet Nam became one more brutal communist dictatorship. Here is the answer I like: There are some who say that Viet Nam made WW III unnecessary. That so many brave men could stand so firmly against a bully 9,000 miles away deeply impressed that bully.

CONGRATULATING DOUGLAS M. WAGONER, SR., ON HIS RETIREMENT

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 2005

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today to honor Mr. Douglas M. Wagoner, Sr., on the occasion of his retirement after 40 years of service to the Northern Virginia community and to our Nation.

Mr. Wagoner began his business, Wagoner Welding Supply, 40 years ago. The company has been integral in servicing the growing construction needs of the Northern Virginia area. Wagoner Welding Supply has held a prominent role and an outstanding service record in the construction community as it has serviced many of the area company's welding needs and has had a working relationship with most of the construction companies in the area. Wagoner Welding Supply has also served the White House Engineering office for 35 years and has been recognized for outstanding service. The White House Engineers are responsible for the upkeep of the residence and Executive Office Buildings, and demand nothing short of outstanding service which Mr. Wagoner's company has provided for over three decades. Servicing the White House entails being on call 24 hours a day, 7 days a week, and Wagoner Welding Supply has always answered that call.

As a long time resident of Alexandria, Virginia, Mr. Wagoner has made time to service his community by belonging to organizations such as the Chamber of Commerce, Alexandria Art League, and the Knights of Columbus. Now in retirement, Mr. Wagoner will certainly look forward to some additional leisure time and spending time with his granddaughters Lydia and Madeline.

Mr. Speaker, in closing, I ask my colleagues to join me in congratulating Douglas M. Wagoner, Sr., and wishing him the best of luck in all future endeavors.

TRIBUTE TO DR. JAMES RECKNER

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 2005

Mr. NEUGEBAUER. Mr. Speaker, it is with great honor that I rise today to pay tribute to Dr. James Reckner, Director of the Vietnam Center at Texas Tech University.

Dr. Reckner, a combat veteran who served two tours in Vietnam, is a dedicated historian who has created an internationally renowned program dedicated to all aspects of the Vietnam War. The main focus at the Vietnam Center has been the Virtual Vietnam Archive. Second only to the U.S. National Archives, Texas Tech University is home to one of the most complete collections of artifacts related to America's involvement in Southeast Asia.

Dr. Reckner's vision began in 1989 when he asked his freshman history class to name a general from the Vietnam War. He was amazed to discover that only 1 student out of 100 knew the name of General William C. Westmoreland, the commander of American military operations during the Vietnam War.

As a result, Dr. Reckner organized a meeting with a group of West Texas veterans to talk about what steps could be taken to preserve the stories, information, and lessons from the Vietnam conflict and pass them on to future generations. It was then that the Texas Tech Vietnam Center was born.

For 15 years, dedicated veterans, scholars and students have been collecting and preserving materials relating to the American Vietnam experience. The Virtual Vietnam Archive now contains more than 2 million pages of material. Earlier this year, James Harton, a Rating Specialist with the U.S. Department of Veterans Affairs sent a letter to U.S. Representative STEVEN BUYER, Chairman of the House Committee on Veterans' Affairs, outlining the successes of the archive. Mr. Harton wrote, "Because of the documents provided by Texas Tech, I am often able to resolve a veteran's claim within fifteen minutes as opposed to the request sent to the USASCURR." Often times requests sent to the U.S. Armed Services Center for Unit Record Research take 6 to 12 months for a reply. With the help of Texas Tech's virtual archive, Mr. Harton has been able to resolve over 500 veteran's claims in the past four years.

America's men and women in the military give their time, and in many cases life and limb, to serve our country. Dr. Reckner served his country admirably during the Vietnam War. Today, he continues to serve this country and the memory of a significant time in American history. Thanks to his efforts, the Vietnam Center at Texas Tech University will assist future generations in remembering the Vietnam experience.

It is our duty to ensure that our children and grandchildren never forget our country's finest heroes and always know of their sacrifices. Their sacrifices and those of our military families serve as freedom's foundation. Without the brave efforts of all the soldiers, sailors, airmen, and marines and their families, our country would not stand so boldly, shine so brightly, and live so freely.

CONFERENCE REPORT ON H.R. 2419, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2006

SPEECH OF

HON. JO ANN DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 9, 2005

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I want to express my sincere concern with the funding level for nuclear physics programs in the Energy and Water Appropriations Act Conference Report for FY2006.

While the Office of Science does receive an increase of \$32.8 million over the fiscal year 2005 level, the nuclear physics programs are actually cut 8.4 percent below fiscal year 2005 levels. The Jefferson Lab in my district in Newport News, VA, is one of the basic research labs that would be negatively impacted by this funding level.

Just last month the National Academy of Sciences issued a report titled "Rising Above the Gathering Storm." That report underscored that the nation's economic health is seriously at risk without a sustained investment in science. The report noted that in Germany, 36 percent of undergraduates receive their degrees in science and engineering. In China the figure is 59 percent, and in Japan 66 percent. In the United States the corresponding figure is 32 percent. It seems to me that this is a time the nation needs to invest in science, not cut science programs.

Mr. Speaker, no Member is more concerned about trimming our budget than I am, but we cannot afford to cut programs like nuclear physics, that are the key to our country's success, both now and in the future. I wish to state for the record that I am extremely disappointed with the cuts to nuclear physics programs, and I will continue to work vigilantly in the future for this critical funding.

NATURAL RESOURCE PROTECTION COOPERATIVE AGREEMENT ACT

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 2005

Mr. PORTER. Mr. Speaker, protecting our Nation's natural resources is one of the greatest gifts that we can give to future generations. When one thinks of our national resources, images of Yellowstone National Park, Lake Mead National Recreation Area, or the Grand Canyon National Park often come to mind. However, in recent years, these areas have all experienced the devastating effects of invasive plant species such as salt cedar, or tamarisk.

This is why I rise today to announce the introduction of the Natural Resource Protection Cooperative Agreement Act.

Invasive plant species know no boundaries. According to the Department of the Interior, the National Park Service currently manages 388 units, comprised of 84.4 million acres of land throughout the United States. Of these units, 196 have been cited as having "serious problems" due to invasive plant species.

Today, I am introducing the Natural Resource Protection Cooperative Agreement Act.